IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4378 OF 2003

WITH

CRIMINAL REVISION APPLICATION NO. 422 OF 2003

State of Maharashtra ... Applicant

versus

Sohanlal Kanhaiyalal Solanki ... Respondent

...

Mr. V.B. Konde Deshmukh, A.P.P., for the Applicant.

Mr. R.S. Kate, for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

17th January 2005

P.C.:

1. Mr. Kate waives notice for the Respondent. Assertions made in the application have remained uncontroverted. Delay is only of 77 days. In the interest of justice, delay is condoned. Application allowed. Revision application taken up for hearing forthwith.

2. Having regard to the reasons recorded by the Court below, it is obvious that the lower Court proceeded to impose costs only after being satisfied that the police machinery was not co-operating in the matter of trial. There is no reason to doubt the correctness of that position. If it is so, no interference is warranted. I am informed that the concerned investigating officer has already deposited the costs. Dismissed.

(A.M.KHANWILKAR,J.)